

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:

Tierra Bell-Hamm

Debtor.

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:
: Case No.: 23-16590
: Chapter 7
: Judge Deborah L. Thorne
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NOTICE OF MOTION

TO: See attached list.

PLEASE TAKE NOTICE that on **February 28, 2024, at 10:30 am**, I will appear before the Honorable Judge Deborah L. Thorne, or any judge sitting in that judge's place, **either** in courtroom 682 of the U.S. Court for the Northern District of Illinois, 219 South Dearborn, Chicago, IL 60604, **or** electronically as described below and present the Motion for Relief from Stay, a copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the internet, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-8287666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 160 9362 1728 and the passcode is no password. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

JPMorgan Chase Bank, N.A.

By: /s/ Todd J. Ruchman

Todd J. Ruchman (6271827)
Manley Deas Kochalski LLC
P.O. Box 165028

Columbus OH 43216-5028
Contact email is tjruchman@manleydeas.com

CERTIFICATE OF SERVICE

I certify that on February 8, 2024, a copy of the foregoing Notice of Motion was filed electronically. Notice of this filing will be sent to the following parties through the Court's

Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Ariane Holtschlag, aholtschlag@wfactorlaw.com

I certify that on February 8, 2024, a copy of the foregoing document was sent by U.S. Mail to the following:

Tierra Bell-Hamm, 7501 Brown Ave., Unit F, Forest Park, IL 60130

/s/ Todd J. Ruchman

Date: 2/8/2024

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
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In re:

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: **Case No.: 23-16590**
: **Chapter 7**
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**MOTION OF JPMORGAN CHASE BANK, N.A. FOR RELIEF FROM THE
AUTOMATIC STAY REGARDING THE PERSONAL PROPERTY KNOWN AS 2021
LAND ROVER VELAR, VIN SALYT2EX3MA311474**

JPMorgan Chase Bank, N.A. (the "Creditor"), by and through the undersigned counsel, files this Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. § 362 and other sections of Title 11 of the United States Code, and under Federal Rules of Bankruptcy Procedure 4001 and 6007 for an order conditioning, modifying, annulling, or dissolving the automatic stay, averring as follows.

MEMORANDUM IN SUPPORT

1. The Court has jurisdiction over this matter under 28 U.S.C §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). The venue of this case and this Motion is proper under 28 U.S.C. §§ 1408 and 1409.
2. On or about April 15, 2021, Tierra Bell Hamm (the "Debtor") obtained a lease from JPMorgan Chase Bank, N.A., or its predecessor-in-interest, in the amount of \$76,835.02 for the purchase of a 2021 Land Rover Velar VIN SALYT2EX3MA311474 ("Collateral"). Debtor agreed to make periodic payments to JPMorgan Chase Bank, N.A., or its predecessor-in-interest. Such lease was evidenced by a Closed-End Motor

Vehicle Lease Agreement, a copy of which is attached hereto as Exhibit A (the "Contract").

3. To secure payment of the Contract, Creditor or Creditor's predecessor-in-interest properly perfected its security interest in the Collateral by delivering the existing Certificate of Title of a Vehicle or the application for a Certificate of Title of a Vehicle containing the name and address of the lienholder and the required fee to the Illinois Secretary of State pursuant to 625 ILCS 5/3-202. A copy of the Certificate of Title of a Vehicle is attached hereto as Exhibit B (the "Title").
4. Creditor believes the clean retail value of the Collateral is \$44,075.00 based upon the 2024 J.D. Power Used Cars/Trucks valuation, a copy of which is attached hereto as Exhibit C.
5. On December 12, 2023, Debtor filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code ("Petition").
6. Debtor is in default in performance of the terms and conditions of the contract and is contractually due for the December 2021 payment in the amount of \$986.09.
7. The lease matured on September 30, 2022. Pursuant to the terms of the contract, the full balance is due upon maturity. Therefore, the full balance of \$63,101.10 is due and owing.
8. Creditor seeks relief from the automatic stay pursuant to 11 U.S.C. § 362(d) to proceed under applicable nonbankruptcy law to enforce its remedies to repossess and sell the Collateral.
9. Creditor is entitled to relief from the automatic stay for the following reason(s):
 - a. Creditor lacks adequate protection of its secured interest in the Collateral pursuant to 11 USC § 362(d)(1) as a result of Debtor's failure to make payments when due.

WHEREFORE, JPMorgan Chase Bank, N.A. respectfully requests this Honorable Court to enter an order terminating the Automatic stay as it affects the interests of JPMorgan Chase Bank, N.A. in the Collateral, and granting such other relief as this Honorable Court may deem just. Creditor further requests that Rule 4001(a)(3) be waived so that an Order Granting Relief from the Automatic Stay will take immediate effect.

Respectfully submitted,

/s/ Todd J. Ruchman

Todd J. Ruchman (6271827)

Adam B. Hall (0088234)

Stephen R. Franks (0075345)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus OH 43216-5028

Telephone: 614-220-5611

Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Todd J. Ruchman.

Contact email is

tjruchman@manleydeas.com

CERTIFICATE OF SERVICE

I certify that on February 8, 2024, a copy of the foregoing Motion of JPMorgan Chase Bank, N.A. for Relief from the Automatic Stay regarding the Personal Property known as 2021 Land Rover Velar, VIN SALYT2EX3MA311474 was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Ariane Holtschlag, trustee, aholtschlag@wfactorlaw.com

I certify that on February 8, 2024, a copy of the foregoing document was sent by U.S. Mail to the following:

Tierra Bell-Hamm, 7501 Brown Ave., Unit F, Forest Park, IL 60130

/s/ Todd J. Ruchman

Date: 2/8/2024